

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

TODD C. GRIGGS AND STEPHANIE GRIGGS

PLAINTIFFS

V.

CIVIL ACTION NO. 1:07CV654-LTS-RHW

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY

DEFENDANT

**ORDER**

Plaintiffs have filed a [47] motion requesting that only one of them be required to appear at the mediation to be held in this case on February 6, 2008. This Court's [25] Order for Mediation emphasizes that each party shall be in attendance.

The primary ground offered by Plaintiffs for this request is that the mediation will be attended by the policyholder (Mr. Griggs) and that Mrs. Griggs, who presently resides in California, is a named plaintiff due to her residence on the homestead. Plaintiffs' counsel also represents that Mr. Griggs [47] "has all authority to speak on behalf of his wife . . . ."

Based on the circumstances and counsel's representation, the Court is of the opinion that the request to waive Mrs. Griggs's appearance is reasonable. This relief is subject to the conditions that Mr. Griggs will also serve as his wife's duly authorized representative at the mediation and that any decision made by Mr. Griggs shall be binding on Mrs. Griggs.

Accordingly, **IT IS ORDERED:**

Plaintiffs' [47] Motion to Waive the Appearance of Stephanie Griggs at the scheduled mediation in this cause of action is **GRANTED**, subject to the above comments.

**SO ORDERED** this the 2<sup>nd</sup> day of January, 2008.

s/ L. T. Senter, Jr.  
L. T. SENTER, JR.  
SENIOR JUDGE